

of a vacancy in the office of any Justice of the Supreme Court, the Governor shall fill the vacancy until the next general election for State officers, and at such general election the vacancy for the unexpired term shall be filled by election by the qualified voters of the State. The justices of the Supreme Court who may be in office at the time this amendment takes effect shall continue in office until the expiration of their term of office under the present Constitution, and until their successors are elected and qualified. The judges of the Commission of Appeals who may be in office at the time this amendment takes effect shall become Associate Justice of the Supreme Court and each shall continue in office as such Associate Justice of the Supreme Court until January 1 next preceding the expiration of his term of office as a Judge of said Commission of Appeals, and until his successor shall be elected and qualified.

Sect. 2. Said proposed Constitutional amendment shall be submitted to a vote of the qualified electors of this State at a special election to be held throughout the State on Saturday, July 28, 1945, at which election each voter opposing said proposed amendment shall scratch off the ballot with a pen or pencil the following words printed on said ballot: "FOR the amendment to the State Constitution providing for a Supreme Court of nine members," and each voter favoring said proposed amendment shall scratch off the ballot in the same manner the following words printed on said ballot: "AGAINST the amendment to the State Constitution providing for a Supreme Court of nine members." If it appears from the returns of said election that a majority of the votes cast are in favor of said amendment, the same shall become a part of the State Constitution.

Sect. 3. The Governor shall issue the necessary proclamation for said election and have the same published and said election held as provided by the Constitution and Laws of this State.

Sect. 4. The sum of Five Thousand Dollars (\$5,000), or so much thereof as may be necessary is hereby appropriated out of the State Treasury to pay for the expenses of said publication and election.

Senator Aikin offered the following amendment to the amendment:

Amend amendment to S. J. R. 8 by striking out line 15, page 2 and insert in lieu thereof the following: "an annual salary which shall be fixed by the legislature."

Senator Vick offered the following substitute for the amendment to the amendment:

Amend S. J. R. 8 on line 15 by substituting said line as follows: "An annual salary of \$10,000."

VICK  
SHIVERS

Question—Shall the substitute be adopted?

#### Adjournment

On motion of Senator Metcalfe, the Senate, at 12:20 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

### THIRTIETH DAY

(Tuesday, February 27, 1945)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lanning	Taylor
Martin	Vick
Mauritz	Weinert
Metcalfe	York

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

#### Leaves of Absence Granted

Senator Kelley was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Lane was granted leave of absence for today on account of important business on motion of Senator Chadick.

Senator Winfield was granted leave of absence for today on account of a death in his family on motion of Senator Martin.

#### Reports of Standing Committee

Senator Mauritz submitted the following reports:

Austin, Texas,  
February 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred House Concurrent Resolution No. 10 by Leonard, have had said resolution under consideration, and we wish to report it back to the Senate with the recommendation that it do pass and be not printed.

MAURITZ, Chairman.

Austin, Texas,  
February 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred House Concurrent Resolution No. 30 by Humphrey, have had said resolution under consideration, and we wish to report it back to the Senate with the recommendation that it do pass and be not printed.

MAURITZ, Chairman.

#### Senate Bill on First Reading

The following bill was introduced, read severally first time, and referred to the committee indicated.

By Senator Carney:

S. B. No. 196, A bill to be entitled "An Act amending Section 1 of Senate Bill 204, Reg. Ses. 47th Legislature, to extend the closed season on wild turkey in certain Senatorial Districts until November 16, 1948, and declaring an emergency."

To Committee on Game and Fish.

#### Senate Resolution 35

Senator Bullock offered the following resolution:

Whereas Dr. Hugo B. Haterius of Stamford, Texas, who is President of the Texas Conference of Lutherans, is now a visitor at the Capitol, and

Whereas he is one of the most distinguished citizens from that section of West Texas in Christian Education Leadership, and

Whereas he is a former classmate of our distinguished Senator, Fred Mauritz, therefore be it

Resolved, that he be invited to visit in the Senate and have full privileges of the floor, and be it further

Resolved, that he be guest Chaplain Wednesday morning, February 28th.

The resolution was read and was adopted.

#### Senate Joint Resolution 8 on Passage to Engrossment

(Unfinished business)

The President laid before the Senate, as the unfinished business, on its passage to engrossment (the resolution having been read second time on yesterday):

S. J. R. No. 8, Proposing an amendment to the Constitution of the State of Texas providing a Supreme Court of nine members, prescribing their qualifications, tenure of office and compensation and abolishing the Commission of Appeals.

With the following committee amendment, and the following amendment to the amendment and the following substitute for the amendment to the amendment pending:

#### Committee Amendment

Amend S. J. R. No. 8 by striking out all below the Resolving Clause and inserting in lieu thereof the following:

Section 1. That Section 2 of Article 5 of the Constitution of the State of Texas be amended so as hereafter to read as follows:

"Article 5. Section 2. The Supreme Court shall consist of a Chief Justice and eight (8) Associate Justices, any five (5) of whom shall constitute a quorum, and the concurrence of five (5) shall be necessary to a decision of a case. No person shall be eligible to the office of Chief Justice or Associate Justice of the Supreme Court unless he be, at the time of his election, a citizen of the United States and of this State, and unless he shall have attained the age of thirty-five (35) years, and shall have been a practicing lawyer, or a lawyer and judge of a court of record together at least ten (10) years. Said Justice shall be elected (three of them each two years) by the qualified voters of the state at a general election, shall hold their offices six (6) years, or until their successors are elected and qualified, and shall each receive the same annual salary as the Attorney General of this State receives. In case of a vacancy in the office of any Justice of the Supreme Court, the Governor shall fill the vacancy until the next general election for State officers, and at such general election the vacancy for the unexpired term shall be filled by election by the qualified voters of the State. The justices of the Supreme Court who may be in office at the time this amendment takes effect shall continue in office until the expiration of their term of office under the present Constitution, and until their successors are elected and qualified. The judges of the Commission of Appeals who may be in office at the time this amendment takes effect shall become Associate Justice of the Supreme Court and each shall continue in office as such Associate Justice of the Supreme Court until January 1 next preceding the expiration of his term of office as a Judge of said Commission of Appeals, and until his successor shall be elected and qualified.

Sec. 2. Said proposed Constitutional amendment shall be submitted to a vote of the qualified electors of this State at a special election to be held throughout the State on Saturday, July 28, 1945, at which election each voter opposing said proposed amendment shall scratch off the ballot with a pen or pencil the following words printed on said ballot: "FOR the amendment to the State Constitution providing for a Supreme Court of nine members," and each voter favoring said proposed amend-

ment shall scratch off the ballot in the same manner the following words printed on said ballot: "AGAINST the amendment to the State Constitution providing for a Supreme Court of nine members." If it appears from the returns of said election that a majority of the votes cast are in favor of said amendment, the same shall become a part of the State Constitution.

Sec. 3. The Governor shall issue the necessary proclamation for said election and have the same published and said election held as provided by the Constitution and Laws of this State.

Sec. 4. The sum of Five Thousand Dollars (\$5,000), or so much thereof as may be necessary is hereby appropriated out of the State Treasury to pay for the expenses of said publication and election.

#### Amendment to Committee Amendment

Amend amendment to S. J. R. 8 by striking out line 15, page 2 and insert in lieu thereof the following: "an annual salary which shall be fixed by the legislature."

Substitute for amendment to committee amendment.

Amend S. J. R. 8 on line 15 by substituting said line as follows: "an annual salary of \$10,000.00"

By unanimous consent, the authors of the amendment to the amendment and the substitute for the amendment to the amendment were permitted to withdraw them.

Senator Vick offered the following amendment to the (committee) amendment:

Amend Committee Amendment No. 1 of S. J. R. No. 8, line 32 on page 2 of the printed bill by striking out the words: "Saturday, July 28, 1945" and inserting in lieu thereof the words: "the fourth Saturday in August, 1945."

The amendment to the amendment was adopted.

Senator Moore offered the following amendment to the amendment:

Amend Committee Substitute to S. J. R. No. 8 by striking out the first sentence in Article 5, Section 2 under Section 1 of the Resolution, and inserting in lieu the following:

"The Supreme Court shall consist of a Chief Justice and 8 (eight) Associate Justices, but shall have a to-

tal of 3 (three), 5 (five), and 7 (seven) members respectively, until increased to 9 (nine) as hereinafter provided. The majority of all Justices shall constitute a quorum and the concurrence of a majority shall be necessary to a decision of a case."

and by striking out the last sentence in Article 5, Section 2, under Section 1 of the Resolution, inserting in lieu the following:

"Each Judge of the Commission of Appeals, and his successor for the unexpired term as such (such successor to be selected in the manner now provided by law) who may be in office at the time this amendment takes effect, shall continue in office as Judge of the Commission of Appeals until January 1st next preceding the expiration of his term of office as Judge of the Commission of Appeals, and until his successor, who shall thereafter be a Justice of the Supreme Court, shall be elected and qualified."

Senator Vick moved to table the amendment to the amendment.

The motion to table prevailed by the following vote:

#### Yeas—15

Brown	Metcalf
Bullock	Moffett
Chadick	Parrish
Crawford	Ramsey
Graves	Stanford
Jones	Vick
Knight	York
Mauritz	

#### Nays—7

Aikin	Morris
Carney	Shivers
Hazlewood	Weinert
Moore	

#### Absent

Lanning	Stone
Martin	Sulak
Spears	Taylor

#### Absent—Excused

Kelley	Winfield
Lane	

Senator Metcalfe offered the following amendment to the amendment:

Amend substitute for S. J. R. No. 8, page 2, by striking out all of Section 1 after the word "years" in line 11 and substitute therefor the following:

Upon the adoption of this amendment, and after the same has become

effective, the Legislature shall, at its next regular session, or at any special session prior thereto duly called for that purpose, divide the counties of the state into nine (9) Supreme Court Districts, so that such Districts shall contain approximately the same population. When the state has thus been divided into Supreme Court Districts the Chief Justice and the two Associate Justices of the Supreme Court, who are in office at such time, shall continue to be the Chief Justice and Justices, respectively, for the remainder of the term for which they have been elected, and shall become the Justices from the Supreme Court Districts wherein they respectively have their legal residence; and the Governor shall thereupon appoint a Justice from each of the remaining six Supreme Court Districts, respectively, for terms ending at the date of the next succeeding general election for State officers, and as thus provided the Chief Justice and other Justices shall constitute the first court under this amendment. Thereafter, there shall be elected by the qualified voters of each said Supreme Court District, wherein there is a vacancy to be filled, a Justice of the Supreme Court, two of whom for the term of two (2) years, two of whom for the term of four (4) years, and two of whom for the term of six (6) years, to be determined by lot among the elected Justices, and to be certified accordingly in the commissions issued by the Governor to the respective Justices. Thereafter there shall be elected from each such Supreme Court District a Justice for the full term of six (6) years, and until his successor shall have been elected and qualified. In case of a vacancy in the office of any Justice of the Supreme Court, the Governor shall fill the vacancy until the next general election for state officers, and at such general election the vacancy for the unexpired term shall be filled by election by the qualified voters of the Supreme Court District wherein the vacancy exists. After the term of the Chief Justice in office at the time of the adoption of this amendment has expired, the members of the Supreme Court shall elect, from time to time one of their number to be Chief Justice for a term of of two (2) years."

CARNEY  
METCALFE

Senator Vick moved to table the amendment to the amendment.

Senator Moore offered the following amendment to the amendment to the amendment:

Amend the Metcalfe amendment by striking out the clause beginning "and the Gov" and ending with "under this amendment. Thereafter"

Senator Vick moved to table the pending amendment to the amendment to the (committee) amendment.

The motion to table was lost by the following vote:

#### Yeas—10

Aikin	Jones
Brown	Parrish
Chadick	Spears
Crawford	Stanford
Graves	Vick

#### Nays—18

Bullock	Moore
Carney	Morris
Hazlewood	Ramsey
Knight	Shivers
Lanning	Stone
Martin	Sulak
Mauritz	Taylor
Metcalfe	Weinert
Moffett	York

#### Absent—Excused

Kelley	Winfield
Lane	

(Senator Shivers in the Chair)

The amendment to the amendment to the amendment was adopted.

Question then recurring—Shall the amendment to the (committee) amendment be adopted?

Senator Vick moved to table the amendment to the committee amendment.

The motion prevailed by the following vote:

#### Yeas—18

Brown	Parrish
Chadick	Shivers
Crawford	Spears
Graves	Stone
Hazlewood	Sulak
Jones	Taylor
Knight	Vick
Lanning	Weinert
Martin	York

#### Nays—9

Aikin	Bullock
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Carney	Moore
Mauritz	Morris
Metcalfe	Ramsey
Moffett	

#### Absent

Stanford

#### Absent—Excused

Kelley	Winfield
Lane	

The committee amendment as amended was adopted.

On motion of Senator Vick, and by unanimous consent, the caption of the resolution was amended to conform with the body of the resolution.

S. J. R. No. 8 then was passed to engrossment by the following vote:

#### Yeas—23

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Taylor
Lanning	Vick
Martin	York
Mauritz	

#### Nays—5

Carney	Sulak
Metcalfe	Weinert
Moore	

#### Absent—Excused

Kelley	Winfield
Lane	

#### Senate Joint Resolution 8 on Third Reading

Senator Vick moved that the rule requiring resolutions to be read on three several days be suspended and that S. J. R. No. 8 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Martin
Brown	Mauritz
Bullock	Metcalfe
Carney	Moffett
Chadick	Moore
Crawford	Morris
Graves	Parrish
Hazlewood	Ramsey
Jones	Shivers
Knight	Spears
Lanning	Stanford

Stone  
Sulak  
Taylor

Vick  
Weinert  
York

Absent—Excused

Kelley  
Lane

Winfield

The Presiding Officer then laid the resolution before the Senate on its third reading and final passage.

(President in the Chair)

The resolution was read third time and was passed by the following vote:

Yeas—23

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Taylor
Lanning	Vick
Martin	York
Mauritz	

Nays—4

Metcalf	Sulak
Moore	Weinert

Absent

Knight

Absent—Excused

Kelley	Winfield
Lane	

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
February 27, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

S. C. R. No. 4, Authorizing the Board of Control to again enter into a contract with the San Jacinto Historical Association to operate the San Jacinto Monument.

S. C. R. No. 17, Endorsing invitation of Texas Press Association extended to the National Editorial Association to hold their annual convention in Texas in the year 1946, the Centennial of Texas Statehood.

The House refused to concur in Senate amendment to House Bill No. 5 and has requested the appointment of a conference committee to consider the differences between the two Houses.

Conference Committee on the part of the House: Morgan, Manford, Bundy, Pruett of Travis, Chambers.

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### Conference Committee on House Bill 5

Senator Stanford called for the consideration at this time of the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 5 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Lanning, Stanford, Taylor, Stone, and Graves.

#### Senate Joint Resolution 1 on Second Reading

Senator Ramsey moved that Section 5 of Article III of the State Constitution be suspended and that S. J. R. No. 1 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stone
Jones	Sulak
Lanning	Taylor
Martin	Vick
Mauritz	Weinert
Metcalf	York

Absent

Knight	Stanford
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Absent—Excused

Kelley	Winfield
Lane	

The President laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 1, Proposing an amendment to Sections 18 and 24, of Article 5, of the Constitution so as to abolish the office of constable; fixing the time for an election therefor; prescribing the form of ballot; providing for proclamation of such election and the advertisement thereof; and making an appropriation therefor.

The resolution was read second time.

Senator Moffett offered the following amendment to the resolution:

Amend S. J. R. No. 1 by adding the following at the end of Section 1, of said resolution:

"Subject to such restriction and regulation as may be imposed by law, the commissioners court of each county shall determine whether a constable shall be elected in each of the various justice of the peace precincts in said county."

Senator Ramsey moved to table the amendment.

The motion to table prevailed by the following vote:

#### Yeas—17

Carney	Shivers
Hazlewood	Spears
Knight	Stanford
Lanning	Stone
Mauritz	Sulak
Moore	Taylor
Morris	Weinert
Parrish	York
Ramsey	

#### Nays—11

Aikin	Jones
Brown	Martin
Bullock	Metcalf
Chadick	Moffett
Crawford	Vick
Graves	

#### Absent—Excused

Kelley	Winfield
Lane	

S. J. R. No. 1 was then passed to engrossment by the following vote:

#### Yeas—18

Aikin	Chadick
Brown	Crawford
Bullock	Hazlewood
Carney	Lanning

Mauritz	Ramsey
Metcalf	Stone
Moffett	Taylor
Moore	Weinert
Morris	York

#### Nays—9

Jones	Spears
Knight	Stanford
Martin	Sulak
Parrish	Vick
Shivers	

#### Absent

Graves

#### Absent—Excused

Kelley	Winfield
Lane	

#### Address by Hon. Temple Houston Morrow

On motion of Senator Hazlewood and by unanimous consent, Hon. Temple Houston Morrow, grandson of General Sam Houston, was invited to address the Senate at this time.

The President then presented Mr. Morrow, who addressed the Senate as follows:

"Mr. President, Gentlemen of the Senate, and visitors: I appreciate very much the courtesy you have extended me but I do not accept it as a personal tribute to myself but as an honor to the memory of my grandfather. As I stand in this presence there comes to me a feeling of sadness to think that my dear old friend Bob Barker is with us no more, a man whom I have known and loved throughout the passing years. This building may have become more or less commonplace to those of you who have been frequenting it for days and weeks and months and possibly years but every stone in its structure is sacred to me.

"There are two pieces of ground in the State of Texas which are dearer and more sacred to me than any other on earth except Bethlehem of Judea, Golgotha, and the Tomb of Joseph of Arimathea. One of those places is the Alamo in San Antonio. Only yesterday I stood within its sacred walls where Travis and Crockett and Bowie and that gallant little band of Texas patriots therein acted the most sublime tragedies the World has ever known except the crucifixion on Calvary, for it was there that they poured

out their life blood on Texas soil that she might be free from the yoke of tyranny and despotism. I said they were Texans but they were not natives. They came from the other States to help make Texas free and were patriots of the first order.

"The other piece of ground is that on which this building stands. For it was here the place of another tragedy occurred, but at the same time a great victory was won over self. You all know the story of the Secession Convention but possibly you do not know what happened the night before General Houston was deposed from the office of Governor because he did not take the oath of allegiance to the Secession Government.

"At that time my mother was 15 years of age, she being the second child and oldest daughter and she had a very vivid recollection of everything which took place.

"Many people who are not thoroughly familiar with the life of General Houston, especially during his later years, regard him as a wild, turbulent, loud-cussing, and hard drinking character when the contrary is true. In the year 1854 he knelt at the altar of the little Baptist Church in Independence, Texas and arose to make his profession of faith and shortly thereafter was baptised in Rock Creek by his old friend, Dr. Rufus C. Burleson. From that day to the time of his death he lived a consistent Christian life and died triumphant in the faith.

"When the Secession Convention demanded that he take the oath of allegiance as Governor to the Secession Government he was given a certain length of time in which to reach his decision. The evening before the fateful day the family had their dinner as usual and when the negro servants had removed the food and soiled dishes Mrs. Houston brought the family Bible and placed it before the General at the head of the table. The negroes brought in their raw hide bottom chairs from the kitchen and servant's quarters and arranged themselves along the back wall of the dining room. The General then read a chapter from the Bible, made appropriate remarks and they all knelt in family prayer as was the usual custom. The baby in the home at that time was named Temple, he being the first child born in the Governor's mansion on August 12, 1861.

"After bidding his family good night the General left positive instructions with Mrs. Houston that he must not be disturbed under any circumstances and that no visitors were to be admitted to the mansion. He then went to his bedroom on the upper floor, removed his coat and vest and shoes and remained alone throughout the night during which he did not sleep. Instead he walked the floor of his bedroom and the upper hall in his sock feet wrestling with his spirit as Jacob wrestled with the angel until the purple dawn of another day shown over the eastern hills. He had come through his Gethsemane, and the die was cast.

"When he came down and met Mrs. Houston he said, 'Margaret, I will never do it.' That meant that he would not take the oath of allegiance and had reconciled himself to be deposed to go into political exile rather than violate his conscience or sacrifice his principle.

"Temple, that little baby boy, when he was 18 years of age, was staying in the home of my mother and father. When I was born on the 13th of August, one day after his birthday I was named for him. While he was a very young man, Governor Roberts appointed him District Attorney for the Jumbo District in the Panhandle where only one County was organized, that being Wheeler County with Mobeetie as the County Seat. After serving as District Attorney of that large District he was later elected to the State Senate and occupied a seat in which one of you gentlemen are now sitting. When this building was completed he was selected to deliver the dedicatory address when it was accepted from the contractors. So you can understand how the sacredness of this building and the Governor's Mansion is woven into the very warp and woof of my being.

"When a little boy I once asked my mother what she considered the bravest act of her father's life. In turn she asked me what I thought about it. Immediately there came into my mind the time when he fought as a boy soldier under Andrew Jackson in the battle of Tohopeka or Horse Shoe Bend on the Talapoosa River in northern Alabama on March 29, 1814 against the Creek Indians where he received an arrow wound in his thigh and two lead musket balls in his



shoulder. When I suggested this she said, 'No, son, that was physical courage.' I then suggested the duel he fought with Mr. White just over the Tennessee-Kentucky line. She again told me that was physical courage also. Then I felt sure I had the answer and I suggested the charge at San Jacinto. She again told me that was another example of physical courage. I finally gave up and asked her to tell me the answer and she said the greatest and most courageous act of his whole life and the crowning glory of his career was when he stood alone before the Secession Convention, refused to sacrifice his principle for political expediency and allowed himself to be deposed rather than do so.

"In closing I would say God grant that we may hold to the faith of our Fathers in spite of dungeon, fire, and sword and that we may be true to that faith till death. And then, when we have served our day and generation and life's shadows lengthen long toward the east and the chilling dews of it's evening gathered on our brow, when the last time we have looked upon the scenes of this life and said good-by to loved ones and friends and our enfranchised spirits sweep out through God's eternal blue and earth recedes and evening draws near and the seraphic strain of Divine symphonies fall on our ears, and angelic forms which we have loved so long and lost awhile beckon to a fairer land and our spirits sweep in through the gates of pearl to that celestial city there to dwell forever with the hosts of redeemed, may we hear mingled with the glad halls of the church triumphant the voice of the on-marching hosts of America's sons and daughters still sweetly singing:

'My Country 'tis of thee,  
Sweet land of Liberty  
Of Thee we sing.  
Land where our fathers died,  
Land of the Pilgrims' pride,  
From every mountain side  
Let Freedom ring.'

On motion of Senator Aikin, the address of Mr. Morrow was ordered printed in the Journal.

#### Bill Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following bill:

S. B. No. 44.

#### Reports of Standing Committees

By unanimous consent, the following committee reports were submitted at this time:

Austin, Texas,  
February 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments to whom you referred S. J. R. No. 9 by Vick, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman.

Austin, Texas,  
February 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments to whom you referred H. J. R. No. 11, by Pigg, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman.

Austin, Texas,  
February 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We your Committee on Constitutional Amendments to whom you referred S. J. R. No. 14 by Weinert, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman.

Austin, Texas,  
February 27, 1945

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred Senate Bill No. 181, have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be printed.

KNIGHT, Chairman.

Austin, Texas  
February 27, 1945

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Pub-

lic Debts, Claims and Accounts, to whom was referred Senate Bill No. 98, by Chadick, have had same under consideration and desire to report it back to the Senate with the recommendation that it do pass and be printed.

SPEARS, Chairman

#### Senate Bill 185 Withdrawn

On motion of Senator Hazelwood, and by unanimous consent, Senate Bill 185 was withdrawn from further consideration in Committee or by the Senate.

#### Adjournment

On motion of Senator Ramsey, the Senate, at 12:25 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

### THIRTY-FIRST DAY

(Wednesday, February 28, 1945)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalfe	York
Moffett	

A quorum was announced present.

Dr. Hugo B. Haterius, President of the Texas Conference of Lutherans, offered the invocation.

On Motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

#### Leaves of Absence Granted

Senators Kelley and Lane were

granted leaves of absence for today on account of important business on motion of Senator Metcalfe.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
February 27, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 143, A bill to be entitled "An Act creating the 9th Judicial District Court for Nueces County; defining its jurisdiction; adjusting business of the 28th District Court of Nueces County and the 117th District Court of Nueces County with the Court created hereby; prescribing the duties of the District Clerk with respect thereto; excluding the Criminal District Court of Nueces County from the provisions of the Act; providing for the appointment and subsequent election of a Judge; and fixing the time during which said Court shall exist; and declaring an emergency."

H. B. No. 211, A bill to be entitled "An Act to amend House Bill 683, Chapter 11, Acts of the 46th Legislature defining a 'Nonresident Commercial Fisherman'; defining a 'Nonresident Commercial Fishing Boat'; and providing for a Nonresident Commercial Fishing License and the fee for same; providing for a Nonresident Commercial Fishing Boat."

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### Reports of Standing Committees

Senator Vick submitted the following reports:

Austin, Texas,  
February 27, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 27, have had the same under consideration and I am instructed to report back to the Senate with the recommendation that the bill do pass with committee amendments and be printed.

VICK, Chairman.